

STATE OF MAINE  
PUBLIC UTILITIES COMMISSION

October 3, 2003

American Long Lines, Inc.  
Request to Abandon Service  
Docket No. 2002-661

Docket No. 2002-661

ORDER GRANTING  
AUTHORITY TO ABANDON  
SERVICE

American Long Lines, Inc. (successor)  
Petition for Finding of Public Convenience  
and Necessity to Provide Service as a  
Interexchange Telephone  
Utility

Docket No. 2002-664

ORDER GRANTING  
AUTHORITY TO  
PROVIDE INTEREXCHANGE  
SERVICE

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WELCH, Chairman; DIAMOND and REISHUS, Commissioners

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On October 21, 2002, American Long Lines, Inc. (old ALL) filed a letter stating that it had been dissolved pursuant to bankruptcy proceedings and that the dissolution “does not effect (sic) the ongoing existence of or authorizations granted to any similarly named entities. Pursuant to inquiry by the Commission staff, consultants for old ALL indicated that a new American Long Lines, Inc. (new ALL) had been formed and sought to use the existing authority of ALL.

The new entity was originally named ALL Acquisition Corp, and later changed its name to American Long Lines, Inc. (The Commission has docketed the successor entity as American Long Lines, Inc. – successor in order to distinguish the two entities but the actual name of the corporation is American Long Lines, Inc.) Under our laws, it is not possible for one utility to “use” the authority granted to another utility or to transfer the authority from one utility to another. We accomplish the latter result, however, by allowing the first utility to abandon service pursuant to 35-A M.R.S.A. § 1104 and requiring the second utility to obtain new authority to provide service pursuant to 35-A M.R.S.A. § 2102. Where the second utility is an affiliated interest of or closely related to the first utility (as in this case), the application process for the second utility is substantially abbreviated.

In this case, former management employees of the dissolved ALL are the owners of new ALL – successor. A letter filed on March 24, 2003 by the consultant for new ALL clarifies the relationship between the two entities and requested that new ALL obtain the same operating authority held by old ALL.

Pursuant to this order, old ALL’s authority (granted on July 16, 1997 in Docket No. 97-29) to provide interexchange telephone service will terminate, and new ALL will, in effect, take over its authority to provide service.

The service, rate schedules and terms and conditions of the successor entity (new ALL) will be identical to those of the public utility that is abandoning service (old ALL). In cases where a change such as the one before us has resulted in a name change or a change in rates or terms and conditions to existing customers, we have required the abandoning utility to provide notice to its customers. As this transaction will present no such change, we will not require notice.

By this order we grant authority to the successor American Long Lines, Inc. to provide interexchange service subject to all provisions of the order in Docket No. 97-29 granting authority to provide such service to original American Long Lines, Inc. The successor entity shall use the same rate schedules and terms and conditions as the original entity.

Therefore, we

### **O R D E R**

1. That the request, pursuant to 35-A M.R.S.A. § 1104, by original American Long Lines, Inc. to abandon service is hereby granted;

2. That the petition, filed pursuant to 35-A M.R.S.A. § 2102, of the new or successor American Long Lines, Inc. for a finding of public convenience and necessity to provide interexchange public utility telephone service is hereby granted; the new or successor American Long Lines, Inc. shall be bound by and subject to all provisions, including the ordering paragraphs, of the order granting authority to original American Long Lines in Docket Number 97-29.

Dated at Augusta, Maine this 3<sup>rd</sup> day of October, 2000.

**BY ORDER OF THE COMMISSION**

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Dennis L. Keschl  
Administrative Director

**COMMISSIONERS VOTING FOR: Welch**

Diamond  
Reishus

## NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within 30 days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Appellate Procedure.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.